

CHAMBERS COPY

STEVEN M. SCHATZ, State Bar No. 118356
KATHERINE HENDERSON, State Bar No. 242676
WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
650 Page Mill Road
Palo Alto, CA 94304-1050
Telephone: (650) 493-9300
Facsimile: (650) 565-5100
Email: sschatz@wsgr.com
khenderson@wsgr.com

*Attorneys for Non-Party
Cathie Lesjak*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

SUSHOVAN HUSSAIN,

Defendant.

CASE NO.: 3:16-cr-00462-CRB

Amended
STIPULATION AND ~~PROPOSED~~
ORDER SHORTENING TIME FOR
HEARING ON NON-PARTY CATHIE
LESJAK'S MOTION TO QUASH
SUBPOENA [Crim. L.R. 47-4, Civil
L.R. 6-2]

Judge: Hon. Charles R. Breyer

Date Filed: November 10, 2016

FILED

MAR 26 2019

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RECEIVED MAR 25 2019

FILED

MAR 28 2019

NORTHERN DISTRICT OF CALIFORNIA
CLERK U.S. DISTRICT COURT
SUSAN A. BOONING

APR 1 2019

APR 1 2019

1 Non-party Cathie Lesjak, Plaintiff United States of America, and Defendant Sushovan
2 Hussain (collectively, the "Parties"), acting by and through their counsel, hereby stipulate as
3 follows:

4 WHEREAS, on March 19, 2019, Defendant Sushovan Hussain ("Defendant") indicated
5 he would serve a subpoena on Cathie Lesjak requiring her testimony at the Sentencing Guideline
6 Hearing set for April 8, 2019 at 10:00 a.m. in this Court; and, on March 21, 2019, Ms. Lesjak
7 indicated she would accept service of such a subpoena even though she intended to move to
8 quash it;

9 WHEREAS, Ms. Lesjak has notified the parties of her intent to move to quash the
10 subpoena on March 21, 2019, and is filing said Motion to Quash on March 22, 2019 (ECF No.
11 forthcoming);

12 WHEREAS, pursuant to Crim. L.R. 47-2, motions must be noticed for hearing not less
13 than 14 days after service of the motion;

14 WHEREAS, pursuant to Crim. L.R. 47-2, the earliest day this Court could hear Ms.
15 Lesjak's Motion to Quash would be April 5, only three days prior to the Sentencing Guideline
16 Hearing at which Ms. Lesjak would be required to testify;

17 WHEREAS, for the reasons stated in Ms. Lesjak's Motion to Quash and accompanying
18 Declaration of Steven M. Schatz, Ms. Lesjak and her attorney would not be available on April 5
19 for such a hearing on her Motion to Quash;

20 WHEREAS, Ms. Lesjak's counsel has conferred with counsel for Defendant and the
21 Government and confirmed that they do not oppose hearing Ms. Lesjak's Motion to Quash on
22 shortened time on March 27, 2019; and

23 WHEREAS, Ms. Lesjak's counsel, Defendant's counsel, and the Government's counsel
24 have confirmed they are available for a hearing on the Motion to Quash on March 27, 2019;

25 NOW, THEREFORE, counsel for the United States, Mr. Hussain, and Ms. Lesjak hereby
26 agree, subject to the Court's approval, that:

27 (1) The Court will hear Ms. Lesjak's Motion to Quash on March 27, 2019, at 1:30 pm, or
28 as soon as possible thereafter.

1 (2) Oppositions, if any, to the Motion to Quash are due on or before March 25, 2019.

2 (3) Ms. Lesjak's reply, if any, in support of her Motion to Quash is due on or before
3 March 26, 2019.

4 Respectfully submitted.

5 DATED: March 22, 2019

6 WILSON SONSINI GOODRICH & ROSATI
7 PROFESSIONAL CORPORATION

8 
9 STEVEN M. SCHATZ
10 KATHERINE HENDERSON

11 *Attorneys for Non-Party Cathie Lesjak*

12 DATED: March 22, 2019

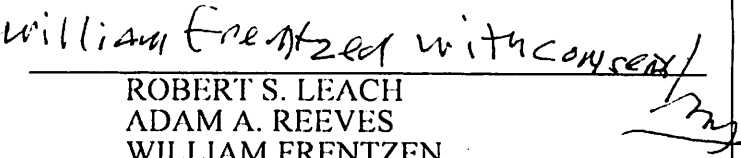
13 KEKER, VAN NEST & PETERS LLP

14 
15 JOHN W. KEKER
16 JAN NIELSEN LITTLE
17 BROOK DOOLEY

18 *Attorneys for Defendant*
19 SUSHOVAN HUSSAIN

20 DATED: March 22, 2019

21 UNITED STATES OF AMERICA

22 
23 ROBERT S. LEACH
24 ADAM A. REEVES
25 WILLIAM FRENTZEN
26 Assistant United States Attorneys

27 *Attorneys for United States of America*
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

~~PROPOSED~~ ORDER

GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that:

1. The Court will hear Ms. Lesjak's Motion to Quash on ~~March 27, 2019~~ *April 3, 2019*, at 1:30 pm, or as soon as possible thereafter.

2. Oppositions, if any, to the Motion to Quash are due on or before ~~March 25, 2019~~ *March 26, 2019*.

3. Ms. Lesjak's reply, if any, in support of her Motion to Quash is due on or before ~~March 26, 2019~~ *March 27, 2019*.

IT IS SO ORDERED.

DATED: *March 26, 2019*


HONORABLE CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE